



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 22, 2008

**Department:** Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

**TITLE:** CONSENT: Special Use Permit for a Specific Use for Lodginghouse (bed & breakfast) (CSU-70039)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the November 7, 2007 public hearing, the County Planning Commission voted (5-0; Commissioner Becerra excused) to recommend approval of the request for a Special Use Permit for a Specific Use for Lodginghouse (bed & breakfast) on Lots 34A, 35A1 & 28, MRGCD Map 24, located at 9100 Guadalupe Trail NW, zoned R-1, and containing approximately .92 acres. The decision was based on the following six (6) Findings and subject to the following eighteen (18) Conditions.

#### **Findings:**

1. This is a request for approval of a Special Use Permit for a Specific Use for a Lodginghouse on Lots 34A, 35A1 & 28, MRGCD Map 24, located at 9100 Guadalupe Trail NW, zoned R-1, and containing approximately .92 acres.
2. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. The request is not in significant conflict with the North Valley Area Plan, which encourages low density residential uses in the Rural Area.
4. This request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in the vicinity of the site, including the development of bed and breakfast establishments near the site.
5. This request has substantial neighborhood support.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

#### **Conditions:**

1. The lodging house shall be limited to four guest rooms and the caretaker's room.

2. No catering or receptions shall take place on the site.
3. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
4. The applicant shall obtain permits for the proposed change of occupancy from the Zoning, Building, Planning, and Environmental Health Planning Department within two months of the final Board of County Commissioners' approval.
5. A food service permit shall be obtained from the Office of Environmental Health within two months of the final Board of County Commissioners' approval.
6. The applicant shall meet the requirements of the Bernalillo County Fire Department, including proper provisions for the access of fire-fighting apparatus and sufficient availability of water supply for fire protection.
7. Signage shall not exceed a total of 16 square feet. The sign shall not be illuminated. A sign permit shall be obtained from the Zoning, Building, Planning and Environmental Health Department.
8. There shall be a six-foot high solid wall along the property lines abutting residential uses except for the existing chain link fence along the southern boundary of the property.
9. There shall be a 10 foot landscape setback buffer along property frontages that complies with the standards outlined in the Zoning Ordinance.
10. There shall be no open storage of materials on the site.
11. No outdoor speakers or amplified sound shall be permitted on the property.
12. There shall be no guest parking on Guadalupe Trail or the access easement on the subject property.
13. The applicant shall remove encroachments of the existing structure on lot lines within the subject property through the Bernalillo County subdivision (replat) process, within one year of the final Board of County Commissioners' approval.
14. All off-street parking areas on the property shall be surfaced with a durable material consisting of concrete or bituminous surface. Spaces shall be appropriately marked to indicate the location of the space.
15. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
16. The Special Use Permit shall be issued for ten (10) years.
17. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners' approval.

18. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (November 13, 2007)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff Recommends Approval